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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/043,577

01/10/2002

Daniel N. Harres

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11/07/2005

ALSTON & BIRD LLP
BANK OF AMERICA PLAZA
101 SOUTH TRYON STREET, SUITE 4000
CHARLOTTE, NC 28280-4000

EXAMINER

GHULAMALI, QUTBUDDIN

ART UNIT

PAPER NUMBER

2637

DATE MAILED: 11/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/043,577

Applicant(s)

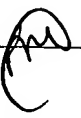
HARRES, DANIEL N.

Examiner

Qutub Ghulamali

Art Unit

2637



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08/31/2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 12-15, 23 and 24 is/are rejected.
- 7) ☒ Claim(s) 5-11, 16-22, 25-30 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is responsive to applicant's Remarks/Arguments filed on 08/31/2005.

Response to Remarks/Arguments

2. Applicant's remarks/arguments filed 08/31/2005 with reference to rejection of claims 1, 12 and 23 under 35 USC 103(a) to Lin-Visser combination, has been fully considered but is not persuasive. The applicant alleges that "nowhere the prior art teach or suggest a QAM decoder including one or more integrators capable of integrating one or more QAM signals".

The Examiner's response - The examiner contends that the prior arts very clearly disclose claim limitations of claims 1, 12 and 23. Here the examiner respectfully would like to focus applicant's attention to fig. 1, col. 6, lines 61-67, which discloses a dual mode QAM/VSB receiver and a decoder block 32, which is compatible to all QAM/VSB signals. Even though Lin does show no explicitly integrator, however, does disclose integrator as part of the integral-plus proportional filters in which the integrator and linear coefficients of the filter are programmable to provide means for setting the loop for the quadrature amplitude modulated signals (see abstract; col. 8, lines 6-21). The motivation to adopt Lin's integrator would be to provide a desired signal that would represent error terms more accurately for combination simultaneously, making it an obvious choice to one of ordinary skill in the art to overcome the deficiency of the instant art.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 12, 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lin et al (USP 6,493,409).

Regarding claims 1, 12, and 23 Lin discloses a decoder for decoding at least one quadrature amplitude modulated (QAM) signal comprising:
at least one tapped-delay line filter comprising at least one delay element, wherein said at least one tapped-delay line filter is capable of receiving the integrated at least one QAM signal and thereafter outputting a representation of each bit of the at least one n-bit digital signal (col. 19, lines 1-15; col. 20, lines 43-54). Lin although does not explicitly show an integrator for integrating at least one QAM signal, however does disclose the integrator is an integral plus proportional filter (abstract; col. 8, lines 6-21). It would have been obvious to one of ordinary skill in the art at the time the invention was made to adapt Lin's integrator/filter in the system disclosed.

5. Claims 2, 13, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lin et al (USP 6,493,409) in view of Visser (USP 4,700,360).

Regarding claims 2, 13 and 24, Lin discloses all claim limitations but is silent regarding a comparator capable of receiving digital signal and outputting the represented signal. Visser in a similar field of endeavor discloses a comparator capable of receiving the representation of each

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bit of the at least one n-bit digital signal and thereafter outputting each bit of the at least one n-bit digital signal based upon a comparison of the representation of each bit to a predetermined threshold (col. 5, lines 55-67). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use a comparator as taught by Visser in the system of Lin because it can represent in the reconstruction of the encoded signal.

Regarding claims 3 and 14, Lin discloses a decoder comprises n integrators, and wherein said at least one tapped-delay line filter comprises n tapped-delay line filters (see col. 19, lines 1-15).

Regarding claims 4 and 15, Lin discloses all claim limitations but is silent regarding n comparators capable of receiving the representation of digital signal and outputting the represented signal. Visser in a similar field of endeavor discloses n comparators (see fig. 7, elements 62, 66) capable of receiving the representation of each bit of the at least one n-bit digital signal and thereafter outputting each bit of the at least one n-bit digital signal based upon a comparison of the representation of each bit to a predetermined threshold (col. 5, lines 55-67). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use n comparators as taught by Visser in the system of Lin because it can represent in the reconstruction of the encoded signal.

Allowable Subject Matter

6. Claims 5-11, 14-22, and 25-30 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action..

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Qutub Ghulamali whose telephone number is (571) 272-3014. The examiner can normally be reached on Monday-Friday from 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jay Patel can be reached on (571) 272-2988. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

QG.
November 2, 2005.


JEAN B. CORRIELUS
PRIMARY EXAMINER

11-4-05